

THE TENURE OF  
**KINGS**  
AND  
**MAGISTRATES:**

PROVING,

That it is Lawfull, and hath been  
held so through all Ages, for any, who  
have the Power, to call to account a Tyrant, or  
wicked KING, and after due conviction, to  
depose, and put him to death; if the ordina-  
ry MAGISTRATE have neglected, or de-  
ny'd to doe it.

And that they, who of late so much blame  
Deposing, are the Men that did it themselves.

*Published now the second time with some additions, and  
many Testimonies also added out of the best & learnedest a-  
mong Protestant Divines asserting the position of this book.*

---

*The Author, J. M.*

---

L O N D O N,

Printed by *Matthew Simmons*, nextdoore to the Gil-  
Lyon in Aldersgate Street, 1650.

Harvard College Library  
In memory of  
Colonel de Jersey Howard  
Class of 1915  
From the Library of  
William Augustus White  
February 8, 1929



# THE TENURE OF KINGS And MAGISTRATES.

**I**F men within themselves would be govern'd by reason, and not generally give up thir understanding to a double tyrannie, of Custom from without, and blind affections within, they would discern better, what it is to favour and uphold the Tyrant of a Nation. But being slaves within doors, no wonder that they strive so much to have the public State conformably govern'd to the inward vicious rule, by which they govern themselves. For indeed none can love freedom heartilie, but good men; the rest love not freedom, but licence; which never hath more scope or more indulgence then under Tyrants. Hence is it that Tyrants are not oft offended,

*The Tenure of Kings and Magistrates,*

nor stand much in doubt of bad men, as being all naturally servile; but in whom vertue and true worth most is eminent, them they feare in earnest, as by right thir Maisters, against them lies all thir hatred and suspicion. Consequentlie neither doe bad men hate Tyrants, but have been alwayes readiest with the falsifi'd names of *Loyalty*, and *Obedience*, to colour over thir base compliances. And although somtimes for shame, and when it comes to thir owne grievances, of purse especially, they would see ne good Patriots, and side with the better cause, yet when others for the deliverance of thir Countrie, endu'd with fortitude and Heroick vertue to feare nothing but the curse writt'n against those *That doe the worke of the Lord negligently*, would goe on to remove, not only the calamities and thraldoms of a People, but the roots and causes whence they spring, streight these men, and sure helpers at need, as if they hated only the miseries but not the mischiefs, after they have juggl'd and palser'd with the world, bandied and born armes against thir King, devested him, disannointed him, nay curs'd him all over in thir Pulpits and thir Pamphlets, to the ingaging of sincere and real men, beyond what is possible or honest to retreat from, not only turne revolvers from those principles, which only could at first move them, but lay the staine of disloyaltie, and worse, on those proceedings, which are the necessary consequences of thir own former actions; nor dislik'd by themselves, were they manag'd to the intire advantages of thir own Faction; not considering the while that he toward whom they boasted thir new fidelitye.

*Jer. 48. 19.*



tie, counted them accessory; and by those Statutes and Lawes which they so impotently brandish against others, would have doom'd them to a Traytors death, for what they have don already. 'Tis true, that most men are apt enough to civil Wars and commotions as a noveltie, and for a flash hot and active; but through sloth or inconstancie, and weakness of spirit either fainting, ere thir own pretences, though never so just, be half attain'd, or through an inbred falshood and wickednes, betray oft times to destruction with themselves, men of noblest temper joyn'd with them for causes, whereof they in their rash undertakings were not capable.

If God and a good cause give them Victory, the prosecution wherof for the most part, inevitably draws after it the alteration of Lawes, change of Government, downfal of Princes with thir families; then comes the task to those Worthies which are the soule of that enterprize, to be swett and labour'd out amidst the throng and noises of Vulgar and irrational men. Some contesting for privileges, customs, forms, and that old entanglement of Iniquity, thir gibbrish Lawes, though the badge of thir ancient slavery. Others who have beene fiercest against thir Prince, under the notion of a Tyrant, and no mean incendiaries of the Warr against him, when God out of his providence and high disposal hath deliver'd him into the hand of thir brethren, on a suddain and in a new garbe of Allegiance, which thir doings have long since cancell'd; they plead for him, pity him, extoll him, protest.

test against those that talk of bringing him to the tryal of Justice, which is the Sword of God, superior to all mortal things, in whose hand soever by apparent signes his testified will is to put it. But certainly if we consider who and what they are, on a suddain grown so pitifull, wee may conclude, thir pittie can be no true, and Christian commiseration, but either leuitie and shallowness of minde, or else a carnal admiring of that worldly pomp and greatness, from whence they see him fall'n; or rather lastly a dissembl'd and seditious pity, fain'd of industry to begett new discord. As for mercy, if it be to a Tyrant, under which Name they themselves have cited him so oft in the hearing of God, of Angels, and the holy Church assembl'd, and there charg'd him with the spilling of more innocent blood by farr, then ever *Nero* did, undoubtedly the mercy which they pretend, is the mercy of wicked men; and their mercies, wee read are cruelties; hazarding the welfare of a whole Nation, to have sav'd one, whom so oft they have tearm'd *Agag*; and vilifying the blood of many *Jonathans*, that have sav'd *Israel*; insisting with much niceness on the unnecessaryest clause of thir Covnant wrested, wherein the feare of change, and the absurd contradiction of a flattering hostilitie had hamperd them, but not scrupling to give away for complements, to an implacable revenge, the heads of many thousand Christians more.

Another sort there is, who comming in the cours of these affaires, to have thir share in great actions, above the form of Law or Custom, at least

least to give thir voice and approbation, begin to swerve, and almost shiver at the Majesty and grandeur of som noble deed, as if they were newly enter'd into a great sin; disputing presidents, forms, and circumstances, when the Commonwealth nigh perishes for want of deeds in substance, don with just and faithfull expedition. To these I wish better instruction, and vertue equal to thir calling; the former of which, that is to say Instruction, I shall indeavour, as my dutie is, to bestow on them; and exhort them not to startle from the just and pious resolution of adhering with all thir strength & assistance to the present Parliament & Army, in the glorious way wherein Justice and Victory hath set them; the only warrants through all ages, next under immediat Revelation, to excercise supream power, in those proceedings which hitherto appeare equal to what hath been don in any age or Nation heretofore, justly or magnanimously. Nor let them be discourag'd or deterr'd by any new Apostate Scarcrowes, who under shew of giving counsel, send out their barking monitories and *memento's*, empty of ought else but the spleene of a frustrated Faction. For how can that pretended counsel bee either sound or faithfull, when they that give it, see not for madnes and vexation of thir ends lost, that those Statutes and Scriptures which both falsely and scandalously, they wrest against thir Friends and Associates, would by sentence of the common adversarie, fall first and heaviest upon thir own heads. Neither let milde and tender dispositions be foolishly softn'd from thir duty and perseverance;

rance, with the unmaskuline Rhetorick of any pulling Priest or Chaplain, sent as a friendly Letter of advice, for fashion sake in privat, and forthwith publiſht by the Sender himſelf, that wee may know how much of friend there was in it, to caſt an odious envie upon them, to whom it was pretended to be ſent in charitie. Nor let any man be deluded by either the ignorance or the notorious hypocriſie and ſelf-repugnant of our dancing Divines, who have the conſcience and the boldneſs, to come with Scripture in thir mouthes, gloſs'd and fitted for thir turnes with a double contradictory ſenſe, transforming the ſacred verity of God, to an Idol with two Faces, looking at once two ſeveral ways; and with the ſame quotations to charge others, which in the ſame caſe they made ſerve to juſtifie themſelves. For while the hope to bee made Claffic and Provincial Lords led them on, while pluralities greas'd them thick and deep, to the ſhame and ſcandal of Religion, more then all the Sects and Heresies they exclaim againſt, then to fight againſt the Kings perſon, and no leſs a Party of his Lords and Commons, or to put force upon both the Houſes, was good, was lawfull, was no reſiſting of Superior powers; they onely were powers not to be reſiſted, who countenanc'd the good, and puniſht the evil. But now that thir cenſorious domineering is not ſuffer'd to be univerſal, truth and conſcience to be freed, Tithes and Pluralities to be no more, though competent allowance provided, and the warme experience of large gifts, and they ſo good at taking them; yet now to exclude & ſeize upon impeach't Members,

to

*The Tenure of Kings and Magistrates.*

to bring Delinquents without exemption to a faire Tribunal by the common National Law against murder, is now to be no less then *Corah, Dathan,* and *Abiram*. He who but awhile in the Pulpits was a cursed Tyrant, an enemy to God and Saints, lad'n with all the innocent blood spilt in three Kingdoms, and so to be fought against, is now, though nothing penitent or alter'd from his first principles, a lawfull Magistrate, a Sovran Lord, the Lords anointed, not to be touch'd, though by themselves imprison'd. As if this onely were obedience, to preserve the meere useles bulke of his person, and that onely in prison, not in the field, and to disobey his commands, deny him his dignity and office, every where to resist his power but where they thinke it onely surviving in thir own faction.

But who in particular is a Tyrant cannot be determin'd in a general discours, otherwise then by supposition; his particular charge, and the sufficient proof of it must determin that: which I leave to Magistrates, at least to the uprighter sort of them, and of the people, though in number less by many, in whom faction least hath prevaild above the Law of nature and right reason, to judge as they find cause. But this I dare owne as part of my faith, that if such a one there be, by whose Commission, whole massacres have been committed on his faithfull Subjects, his Provinces offered to pawn or alienation, as the hire of those whom he had solicited to come in and destroy whole Citties and Countries; be he King, or Tyrant, or Emperour, the Sword of Justice is above  
B him;

him ; in whose hand soever is found sufficient power to avenge the effusion, and so great a deluge of innocent blood. For if all human power to execute, not accidentally but intendedly, the wrath of God upon evil doers without exception, be of God ; then that power, whether ordinary, or if that faile, extraordinary so executing that intent of God, is lawfull, and not to be resisted. But to unfold more at large this whole Question, though with all expedient brevity, I shall here set downe from first beginning, the original of Kings; how and wherfore exalted to that dignitie above thir Brethren ; and from thence shall prove, that turning to Tyranny they may bee, as lawfully depos'd and punish'd, as they were at first elected : This I shall doe by authorities and reasons, not learnt in corners among Scisms and Heresies, as our doubting Divines are ready to calumniat, but fetch't out of the midst of choicest and most authentic learning, and no prohibited Authors, nor many Heathen, but Mosaical, Christian, Orthodoxal, and which must needs be more convincing to our Adversaries, Presbyterial.

No man who knows ought, can be so stupid to deny that all men naturally were borne free, being the image and resemblance of God himself, and were by privilege above all the creatures, born to command and not to obey : and that they liv'd so. Till from the root of *Adams* transgression, falling among themselves to doe wrong and violence, and foreseeing that such courses must needs tend to the destruction of them all, they agreed by common league to bind each other from mu-

tual injury, and joyntly to defend themselves against any that gave disturbance or opposition to such agreement. Hence came Citties, Townes and Common-wealths. And because no faith in all was found sufficiently binding, they saw it needfull to ordaine som authoritie, that might restrain by force and punishment what was violated against peace and common right. This autoritie and power of self-defence and preservation being originally and naturally in every one of them, and unitedly in them all, for ease, for order, and least each man should be his own partial Judge, they communicated and deriv'd either to one, whom for the eminence of his wisdom and integritie they chose above the rest, or to more then one whom they thought of equal deserving: the first was call'd a King; the other Magistrates. Not to be thir Lords and Maisters (though afterward those names in som places were giv'n voluntarily to such as had been Authors of inestimable good to the people) but, to be thir Deputies and Commissioners, to execute, by vertue of thir intrusted power, that justice which else every man by the bond of nature and of Cov'nant must have executed for himself, and for one another. And to him that shall consider well why among free Persons, oneman by civil right should beare authority and jurisdiction over another, no other end or reason can be imaginable. These for a while govern'd well, and with much equity decided all things at thir own arbitrement: till the temptation of such a power left absolute in thir hands, perverted them at length to injustice



*The Tenure of Kings and Magistrates,*

and partialitie. Then did they who now by tryal had found the danger and inconveniences of committing arbitrary power to any, invent Laws either fram'd, or consented to by all, that should confine and limit the authority of whom they chose to govern them: that so man, of whose failing they had proof, might no more rule over them, but law and reason abstracted as much as might be from personal errors and frailties. While as the Magistrate was set above the people, so the Law was set above the Magistrate. When this would not serve, but that the Law was either not executed, or misapply'd, they were constrain'd from that time, the onely remedy left them, to put conditions and take Oaths from all Kings and Magistrates at thir first instalment to doe impartial justice by Law: who upon those termes and no other, receav'd Allegiance from the people, that is to say, bond or Covnant to obey them in execution of those Lawes which they the people had themselves made, or assented to. And this oftentimes with expresse warning, that if the King or Magistrate prov'd unfaithfull to his trust, the people would be disingag'd. They added also Counsellors and Parliaments, nor to be onely at his beck, but with him or without him, at set times, or at all times, when any danger threatn'd to have care of the public safety. Therefore saith *Claudianus Sefell* a French Statesman, *The Parliament was set as a bridle to the King*; which I instance rather, not because our English Lawyers have not said the same long before, but because that French Monarchy is granted by all to be a farr more absolute then ours. That this and the rest of what



what hath hitherto been spok'n is most true, might be copiously made appeare throughout all Stories Heathen and Christian ; ev'n of those Nations where Kings and Emperours have sought meanes to abolish all ancient memory of the Peoples right by thir encroachments and usurpations. But I spare long insertions, appealing to the known constitutions of both the latest Christian Empires in Europe, the Greek and German, besides the French, Italian, Arragonian, English, and not least the Scottish Histories: not forgetting this onely by the way, that *William* the Norman though a Conqueror, and not unsworn at his Coronation, was compell'd the second time to take oath at *S. Albanes*, ere the people would be brought to yeld obedience.

It being thus manifest that the power of Kings and Magistrates is nothing else, but what is only derivative, transferr'd and committed to them in trust from the People, to the Common good of them all, in whom the power yet remains fundamentally, and cannot be tak'n from them, without a violation of thir natural birthright, and seeing that from hence *Aristotle* and the best of Political writers have defin'd a King, him who governs to the good and profit of his People, and not for his own ends, it follows from necessary causes, that the Titles of Sovran Lord, natural Lord, and the like, are either arrogancies, or flatteries, not admitted by Emperours and Kings of best note, and dislik't by the Church both of Jews, *Isai.* 26. 13. and ancient Christians, as appears by *Tertullian* and others. Although generally the people of Asia, and with them the Jews also, espe-

especially since the time they chose a King against the advice and counsel of God, are noted by wise Authors much inclinable to slavery.

Secondly, that to say, as is usual, the King hath as good right to his Crown and dignitie, as any man to his inheritance, is to make the Subject no better then the Kings slave, his chattell, or his possession that may be bought and sould. And doubtless if hereditary title were sufficiently inquir'd, the best foundation of it would be found either but in courtesie or convenience. But suppose it to be of right hereditarie, what can be more just and legal, if a subject for certain crimes be to forget by Law from himself, and posterity, all his inheritance to the King, then that a King for crimes proportional, should forget all his title and inheritance to the people : unless the people must be thought created all for him, he not for them, and they all in one body inferior to him single, which were a kinde of treason against the dignitie of mankind to affirm.

Thirdly it follows, that to say Kings are accountable to none but God, is the overturning of all Law and government. For if they may refuse to give account, then all cov'nants made with them at Coronation; all Oathes are in vaine, and meer mockeries, all Lawes which they sweare to keep, made to no purpose; for if the King feare not God, as how many of them doe not? we hold then our lives and estates, by the tenure of his meer grace and mercy, as from a God, not a mortal Magistrate, a position that none but Court Parasites or men belotted would maintain. *Aristotle* therefore

fore, whom we commonly allow for one of the best interpreters of nature and morality, writes in the fourth of his politics chap. 10. that Monarchy unaccountable, is the worst sort of Tyranny; and least of all to be endur'd by free born men. And surely no Christian Prince, not drunk with high mind, and prouder then those Pagan *Cesars* that deifi'd themselves, would arrogate so unreasonably above human condition, or derogate so basely from a whole Nation of men his Brethren, as if for him only subsisting, and to serve his glory, valuing them in comparison of his owne brute will and pleasure, no more then so many beasts, or vermin under his Feet, not to be reasond with, but to be trod on; among whom there might be found so many thousand Men for wisdom, vertue, nobleness of mind, and all other respects, but the fortune of his dignity, farr above him. Yet some would perswade us, that this absurd opinion was King *David's*; because in the 51 *Psalm* he cries out to God, *Against thee onely have I sinn'd*; as if *David* had imagin'd that to murder *Uriah* and adulterate his Wife, had bin no sinn against his Neighbour, when as that Law of *Moses* was to the King expressly, *Dent. 17.* not to think so highly of himself above his Brethren. *David* therefore by those words could mean no other, then either that the depth of his guiltiness was known to God onely, or to so few as had not the will or power to question him, or that the sin against God was greater beyond compare then against *Uriah*. What ever his meaning were, any wise man will see that the pathetical words of a *Psalmist* can be  
no

no certaine decision to a poynt that hath abundantly more certain rules to goe by. How much more, rationally spake the Heathen King *Demo-phoon* in a Tragedy of *Euripides* then these Interpreters would put upon King *David*, *I rule not my people by Tyranny, as if they were Barbarians, but am myself liable, if I doe unjustly, to suffer justly.* Not unlike was the speech of *Trajan* the worthy Emperor, to one whom he made General of his *Prætorian Forces*. Takethis drawn sword, saith he, to use for me, if I reigne well, if not, to use against me. Thus *Dion* relates. And not *Trajan* onely, but *Theodosius* the yonger, a Christian Emperor and one of the best, cauld it to be enacted as a rule, undeniable and fit to be acknowledg'd by all Kings and Emperors, that a Prince is bound to the Laws; that on the authority of Law the authority of a Prince depends, and to the Laws ought submit. Which Edict of his remains yet in the *Code of Justinian*. l. 1. tit. 24. as a sacred constitution to all the succeeding Emperors. How then can any King in Europe maintain and write himself accountable to none but God, when Emperors in their own imperial Statutes have writt'n and decreed themselves accountable to Law. And indeed where such account is not fear'd, he that bids a man reigne over him above Law, may bid as well a *Savage Beast*. *It follows lastly, that since the King or Magistrate holds his authority of the people, both originally and naturally for their good in the first place, and not his own; then may the people as oft as they shall judge it for the best, either choose him* or

or reject him, retaine him or depose him though no Tyrant, meerly by the liberty and right of free born Men, to be govern'd as seems to them best. This, though it cannot but stand with plain reason, shall be made good also by Scripture. *Deut. 17. 14. When thou art come into the Land which the Lord thy God giveth thee, and shalt say I will set a King over mee, like as all the Nations about mee.* These words confirme us that the right of choosing, yea of changing thir own Government is by the grant of God himself in the People. And therefore when they desir'd a King, though then under another form of government, and though thir changing displeas'd him, yet he that was himself thir King, and rejected by them, would not be a hindrance to what they intended, further then by perswasion, but that they might doe therein as they saw good, *1 Sam. 8.* onely he reserv'd to himself the nomination of who should reigne over them. Neither did that exempt the King, as if he were to God onely accountable, though by his especial command anointed. Therefore *David first made a Covenant with the Elders of Israel, and so was by them anointed King, 2 Sam. 5. 3. 1 Chron. 11.* And *Jehoiada the Priest making Jehoash King, made a Covenant between him and the People, 2 Kings 11. 17.* Therefore when *Roboam* at his comming to the Crown, rejected those conditions which the Israelites brought him, heare what they answer him, *What portion have we in David, or Inheritance in the son of Jesse? See to thine own House David.* And for the like conditions not perform'd, all Israel before that time depos'd *Samuel*, not for his own default,

C

but

but for the misgovernment of his Sons. But som will say to both these examples, it was evilly don. I answer, that not the latter, because it was expressly allow'd them in the Law to set up a King if they pleas'd; and God himself joyn'd with them in the work; though in som sort it was at that time displeasing to him, in respect of old *Samuel* who had govern'd them uprightly. As *Levy* praises the Romans who took occasion from *Tarquinius* a wicked Prince to gaine thir libertie, which to have extorted, saith hee, from *Numa*, or any of the good Kings before, had not bin seasonable. Nor was it in the former example don unlawfully; for when *Raboaam* had prepar'd a huge Army to reduce the Israelites, he was forbidd'n by the Prophet, *1 Kings 12. 24. Thus saith the Lord yee shall not goe up, nor fight against your brethren, for this thing is from me.* He calls them thir Brethren, not Rebels, and forbids to be proceeded against them, owning the thing himself, not by single providence, but by approbation, and that not onely of the act, as in the former example, but of the fit season also; he had not otherwise forbidd to molest them. And those grave and wise Counselors whom *Rehoboam* first advis'd with, spake no such thing; as our old gray headed Flatterers now are wont, stand upon your birth-right, scorn to capitulate, you hold of God, not of them; for they knew no such matter, unless conditionally, but gave him politic counsel, as in a civil transaction. Therefore Kingdom and Magistracy, whether supreme or subordinat, is without difference, call'd a *human ordinance*, *1 Pet. 2. 13. &c.* which we are theretaught

is the will of God wee should alike submit to, so farr as for the punishment of evil doers, and the encouragement of them that doe well. *Submit* saith he, *as free men.* But to any civil power unaccountable, unquestionable, and not to be resisted, no not in wickedness, and violent actions, how can we submit as free men? *There is no power but of God,* saith Paul, *Rom. 13.* as much as to say, God put it into mans heart to find out that way at first for common peace and preservation, approving the exercise therof; els it contradicts *Peter* who calls the same authority an Ordinance of man. It must be also understood of lawfull and just power, els we read of great power in the affaires and Kingdoms of the World permitted to the Devil: for saith he to Christ, *Luke 4. 6.* *All this power will I give thee and the glory of them, for it is deliver'd to me, & to whomsoever I will, I give it:* neither did he ly, or Christ gainsay what he affirm'd; for in the thirteenth of the *Revelation* wee read how the Dragon gave to the beast *his power, his seate, and great authority:* which beast so autoriz'd most expound to be the tyrannical powers and Kingdoms of the earth. Therefore Saint Paul in the forecited Chapter tells us that such Magistrates he meanes, as are, not a terror to the good but to the evil; such as beare not the sword in vaine, but to punish offenders, and to encourage the good. If such onely be mentiond here as powers to be obeyd, and our submission to them onely requir'd, then doubtless those powers that doe the contrary, are no powers ordain'd of God, and by consequence no obligation laid upon us to obey or not to resist them. And it may bee well observd that both



*The Tenure of Kings and Magistrates,*

these Apostles, whenever they give this precept, express it in termes not *concrete* but *abstract*, as Logicians are wont to speake, that is, they mention the ordinance, the power, the autoritie before the persons that execute it; and what that power is, least we should be deceaw'd, they describe exactly. So that if the power be not such, or the person execute not such power, neither the one nor the other is of God, but of the Devil, and by consequence to bee resisted. From this exposition *Chrysostome* also on the same place dissents not; explaining that these words were not writt'n in behalf of a tyrant. And this is verifi'd by *David*, himself a King, and likeliest to bee Author of the *Psalme* 94. 20. which saith *Shall the throne of iniquity have fellowship with thee?* And it were worth the knowing, since Kings in these dayes, and that by Scripture, boast the iustness of thir title, by holding it immediately of God, yet cannot shew the time when God ever set on the throne them or thir forefathers, but onely when the people chose them, why by the same reason, since God ascribes as oft to himself the casting down of Princes from the throne, it should not be thought as lawful, and as much from God, when none are seen to do it but the people, and that for just causes. For if it needs must be a sin in them to depose, it may as likely be a sin to have elected. And contrary if the peoples act in election be pleaded by a King, as the act of God, and the most just title to enthrone him, why may not the peoples act of rejection, bee as well pleaded by the people as the act of God, and the most just reason to depose him? So that we see the  
title



title and just right of raigning, or deposing, in reference to God, is found in Scripture to be all one; visible onely in the people, and depending meerly upon justice and demerit. Thus farre hath bin considerd briefly the power of Kings and Magistrates; how it was and is originally the peoples, and by them conferr'd in trust onely to bee imployd to the common peace and benefit; with liberty therfore and right remaining in them to reassume it to themselves, if by Kings or Magistrates it be abus'd; or to dispose of it by any alteration, as they shall judge most conducing to the public good.

Wee may from hence with more ease, and force of argument determin what a Tyrant is, and what the people may doe against him. A Tyrant whether by wrong or by right comming to the Crown, is he who regarding neither Law nor the common good, reigns onely for himself and his faction: Thus St. Basil among others defines him. And because his power is great, his will boundless and exorbitant, the fulfilling whereof is for the most part accompanied with innumerable wrongs and oppressions of the people, murders, massacres, rapes, adulteries, desolation, and subversion of Citties and whole Provinces, look how great a good and happiness a just King is, so great a mischeife is a Tyrant; as hee the public father of his Countrey, so this the commonemie. Against whom what the people lawfully may doe, as against a common pest, and destroyer of mankind, I suppose no man of cleare judgement need goe further to be guided then by the very principles of nature.

nature in him. But because it is the vulgar folly of men to desert thir own reason, and shutting thir eyes to think they see best with other mens, I shall shew by such examples as ought to have most waight with us, what hath bin don in this case heretofore. The *Greeks* and *Romans*, as thir prime Authors witness, held it not onely lawfull, but a glorious and Heroic deed, rewarded publicly with Statues and Garlands, to kill an infamous Tyrant at any time without tryal: and but reason, that he who trod down all Law, should not be voutsaf'd the benefit of Law. Insomuch that *Seneca* the Tragedian brings in *Hercules* the grand suppressor of Tyrants, thus speaking,

———— *Victima haud ulla amplior*  
*Potest, magisque opima mactari Jovi*  
*Quam Rex iniquus* —————

———— *There can be slaine*  
*No sacrifice to God more acceptable*  
*Then an unjust and wicked King* —————

But of these I name no more, lest it bee objected they were Heathen; and come to produce another sort of men that had the knowledge of true Religion. Among the Jews this custom of tyrant-killing was not unusual. First *Ehud*, a man whom God had rayd to deliver Israel from *Eglon* King of *Moab*, who had conquerd and rul'd over them eightene years, being sent to him as an Ambassador with a present, slew him in his own house. But hee was a forren Prince, anemie, and *Ehud* besides had special warrant from God. To the first I answer, it imports not whether forren or native: For no Prince so native but professes

fesses to hold by Law; which when he himself overturns, breaking all the Covnants and Oaths that gave him title to his dignity, and were the bond and alliance between him and his people, what differs he from an outlandish King, or from an enemy? For look how much right the King of *Spaine* hath to govern us at all, so much right hath the King of *England* to govern us tyrannically. If he, though not bound to us by any League, coming from *Spaine* in person to subdue us or to destroy us, might lawfully by the people of *England* either be slaine in fight, or put to death in captivity, what hath a native King to plead, bound by so many Covnants, benefits and honours to the welfare of his people, why he through the contempt of all Laws and Parlements, the onely tie of our obedience to him, for his own wills sake, and a boasted prerogative unaccountable, after sev'n years warring and destroying of his best Subjects, overcome, and yeilded prisoner, should think to scape unquestionable, as a thing divine, in respect of whom so many thousand Christians destroy'd, should lie unaccounted for, polluting with their slaughterd carcasses all the Land over, and crying for vengeance against the living that should have righted them. Who knows not that there is a mutual bond of amity and brother-hood between man and man over all the World, neither is it the English Sea that can sever us from that duty and relation: a straiter bond yet there is between fellow-subjects, neighbours, and friends; But when any of these doe one to another so as hostility could doe no worse, what doth  
the

*The Tenure of Kings and Magistrates,*

the Law decrees less against them, then op'n enemies and invaders? or if the Law be not present, or too weak, what doth it warrant us to less then single defence, or civil warr? and from that time forward the Law of civil defensive warr differs nothing from the Law of forren hostility. Nor is it distance of place that makes enmitie, but enmitie that makes distance. He therefore that keeps peace with me, neer or remote, of whatsoever Nation, is to mee as farr as all civil and human offices an Englishman and a neighbour: but if an Englishman forgetting all Laws, human, civil and religious, offend against life and liberty, to him offended and to the Law in his behalf, though born in the same womb, he is no better then a Turk, a Sarasin, a Heathen. This is Gospel, and this was ever Law among equals; how much rather then in force against any King whatever, who in respect of the people is confessd inferior and not equal: to distinguish therefore of a Tyrant by outlandish, or domestic is a weak evasion. To the second that he was an enemy, I answer, what Tyrant is not? yet *Eglon* by the Jewes had bin acknowledged as thir Sovran; they had serv'd him eighteen yeares, as long almost as we our *William* the Conqueror, in all which time he could not be so unwise a Statesman but to have tak'n of them Oaths of Fealty and Allegiance; by which they made themselves his proper Subjects, as thir homage and present sent by *Ehud* testify'd. To the third, that he had special warrant to kill *Eglon* in that manner, it cannot bee granted, because not expresd; tis plain that he was rayd by God to be

be a Deliverer, and went on just principles, such as were then and ever held allowable, to deal so by a Tyrant that could no otherwise be dealt with. Neither did *Samuel* though a Prophet, with his own hand abstain from *Agag*; a forren enemy no doubt; but mark the reason. *As thy sword hath made women childless*; a cause that by the sentence of Law it self nullifies all relations. And as the Law is between Brother and Brother, Father and Son, Maister and Servant, wherfore not between King or rather Tyrant and People? And whereas *Jehu* had special command to slay *Jehoram* a successive and hereditarie Tyrant, it seems not the less imitable for that; for where a thing grounded so much on natural reason hath the addition of a command from God, what does it but establish the lawfulness of such an act. Nor is it likely that God who had so many wayes of punishing the house of *Ahab* would have sent a subject against his Prince, if the fact in it self, as don to a Tyrant, had bin of bad example. And if *David* refus'd to lift his hand against the Lords anointed, the matter between them was not tyranny, but privat enmity, and *David* as a privat person had bin his own revenger, not so much the peoples. But when any tyrant at this day can shew to be the Lords anointed, the onely mention'd reason why *David* withheld his hand, he may then but not till then presume on the same privilege.

Wee may pass therfore hence to Christian times. And first our Saviour himself, how much he favoured Tyrants, and how much intended they

D

should

should be found or honour among Christians, declares his mind not obscurely; accounting thir absolute authority no better then Gentillism, yea though they flourish'd it over with the splendid name of Benefactors; charging those that would be his Disciples to usurp no such dominion; but that they who were to bee of most authority among them, should esteem themselves Ministers and Servants to the public. *Matt. 20. 25.* *The Princes of the Gentiles excercise Lordship over them, and Mark 10. 42.* They that seem to rule, saith he, either slighting or accounting them no lawful rulers, but yee shall not be so, but the greatest among you shall be your Servant. And although hee himself were the meekest, and came on earth to be so, yet to a Tyrant we hear him not voutsafe an humble word: but *Tell that Fox Luc 13.* So farr we ought to be from thinking that Christ and his Gospel should be made a Sanctuary for Tyrants from justice, to whom his Law before never gave such protection. And wherfore did his Mother the Virgin Mary give such praise to God in her profetic song, that he had now by the comming of Christ *Quit down Dynasties or proud Monarchs from the throne,* if the Church, when God manifests his power in them to doe so, should rather choose all miserie and vassalage to serve them, and let them sit on thir potent seats to bee ador'd for doing mischief. Surely it is not for nothing that tyrants by a kind of natural instinct both hate and feare none more then the true Church and Saints of God, as the most dangerous enemies and subverters of Monarchy, though indeed of ty-  
ranny;

ranny; hath not this bin the perpetual cry of Courtiers, and Court Prelats? whereof no liker cause can be alleg'd, but that they well discern'd the mind and principles of most devout and zealous men, and indeed the very discipline of Church, tending to the dissolution of all tyranny. No marvel then if since the faith of Christ receav'd, in purer or impurer times, to depose a King and put him to death for Tyranny, hath bin accounted so just and requisite, that neighbour Kings have both upheld and tak'n part with subjects in the action. And *Ludovicus Pius*, himself an Emperor, and Son of *Charles* the great, being made Judge, *Du Haillan* is my author, between *Milegast* King of the *Vultzes* and his Subjects who had depos'd him, gave his verdict for the Subjects, and for him whom they had chos'n in his room. Note here that the right of electing whom they please is by the impartial testimony of an Emperor in the people. For, said he, *A just Prince ought to be prefer'd before an unjust, and the end of government before the prerogative.* And *Constantinus Leo*, another Emperor, in the *Byzantine* Laws saith, *that the end of a King is for the general good, which he not performing is but the counterfet of a King.* And to prove that som of our own Monarchs have acknowledged that thir high office exempted them not from punishment, they had the Sword of *St. Edward* born before them by an officer who was call'd Earle of the Palace, eev'n at the times of thir highest pomp and solemnities, to mind them, saith *Matthew Paris*, the best of our Historians, that if they errd, the Sword had power to restrain them.



And what restraint the Sword comes to at length, having both edge and point, if any *Sceptic* will doubt, let him feel. It is also affirm'd from diligent search made in our ancient books of Law, that the Peers and Barons of England had a legal right to judge the King: which was the cause most likely, for it could be no slight cause, that they were call'd his Peers, or equals. This however may stand immovable, so long as man hath to deale with no better then man; that if our Law judge all men to the lowest by thir Peers, it should in all equity ascend also, and judge the highest. And so much I find both in our own and forren Storie, that Dukes, Earles, and Marqueses were at first not hereditary, not empty and vain titles, but names of trust and office, and with the office ceasing, as induces me to be of opinion, that every worthy man in Parliament, for the word Baron imports no more, might for the public good be thought a fit Peer and judge of the King; without regard had to petty caveats, and circumstances, the chief impediment in high affaires, and ever stood upon most by circumstantial men. Whence doubtless our Ancestors who were not ignorant wih what rights either Nature or ancient Constitution had endowd them, when Oaths both at Coronation, and renewd in Parliament would not serve, thought it no way illegal to depose and put to death thir tyrannous Kings. Inso-much that the Parliament drew up a charge against *Richard the second*, and the Commons requested to have judgement decree'd against him, that the realme might not bee endangerd. And *Peter Mar-*

tyr



tyra Divine of formost rank, on the third of *Judges* approves thir doings. Sir *Thomas Smith* also a Protestant and a Statesman, in his Commonwealth of *England*, putting the question whether it be lawfull to rise against a Tyrant, answers that the vulgar judge of it according to the event, and the learned according to the purpose of them that do it. But far before these days, *Gildas* the most ancient of all our Historians, speaking of those times wherein the Roman Empire decaying quitted and relinquishd what right they had by Conquest to this Iland, and resign'd it all into the peoples hands, testifies that the people thus re-invested with thir own original right, about the year 446, both elected them Kings, whom they thought best (the first Christian Brittish Kings that ever raignd heer since the Romans) and by the same right, when they apprehended cause, usually depos'd and put them to death. This is the most fundamental and ancient tenure that any King of *England* can produce or pretend to; in comparison of which, all other titles and pleas are but of yesterday. If any object that *Gildas* condemns the Britans for so doing, the answer is as ready; that he condemns them no more for so doing, then hee did before for choosng such, for saith he, *They anointed them Kings, not of God, but such as were more bloody then the rest.* Next hee condemns them not at all for deposing or putting them to death, but for doing it over hastily, without tryal or well examining the cause, and for electng others wors in thir room. Thus we have heer both domestic and most ancient examples that the people of Britain...

tain have depos'd and put to death thir Kings in those primitive Christian times. And to couple reason with example, if the Church in all ages, Primitive, Romish, or Protestant, held it ever no less thir duty then the power of thir Keyes, though without expresse warrant of Scripture, to bring indifferently both King and Peasant under the utmost rigor of thir Canons and Censures Ecclesiastical, eev'n to the smiting him with a final excommunication, if he persist impenitent, what hinders but that the temporal Law both may and ought, though without a special Text or precedent, extend with like indifference the civil Sword, to the cutting off without exemption him that capitally offends. Seeing that justice and Religion are from the same God, and works of justice oftentimes more acceptable. Yet because that some lately, with the tongues and arguments of Malignant backsliders, have writt'n that the proceedings now in Parliament against the King, are without precedent from any Protestant State or Kingdom, the examples which follow shall be all Protestant and chiefly Presbyterian.

In the yeare 1546. The Duke of Saxonie, Landgrave of Hessen, and the whole Protestant league rayd op'n Warr against Charles the fifth thir Emperor, sent him a defiance, renounc'd all faith and allegiance towards him, and debated long in Council whither they should give him so much as the title of *Cesar*. *Sleidan. l. 17.* Let all men judge what this wanted of deposing or of killing, but the power to doe it.

In the yeare 1559. The Scotch Protestants claim.

claiming promise of thir Queen Regent for libertie of conscience, she answering that promises were not to be claim'd of Princes beyond what was commodious for them to grant, told her to her face in the Parliament then at *Sterling*, that if it were so, they renounc'd thir obedience; and soon after betook them to Armes. *Buchanan Hist.* l. 16. certainly when allegiance is renounc'd, that very hour the King or Queen is in effect depos'd.

In the yeare 1564. *John Knox* a most famous Divine and the reformer of *Scotland* to the Presbyterian discipline, at a general Assembly maintaind op'nly in a dispute against *Lethington* the Secretary of State, that Subjects might & ought execute Gods judgements upon thir King; that the fact of *Jehu* and others against thir King having the ground of Gods ordinary command to put such and such offenders to death was not extraordinary, but to bee imitated of all that preferr'd the honour of God to the affection of flesh and wicked Princes; that Kings, if they offend, have no privilege to be exempted from the punishments of Law more then any other Subject; so that if the King be a Murderer, Adulterer, or Idolater, he should suffer, not as a King, but as an offender; and this position he repeates again and again before them. Answerable was the opinion of *John Craig* another learned Divine, and that Lawes made by the tyranny of Princes, or the negligence of people, thir posterity might abrogate, and reform all things according to the original institution of Common-wealths. And *Knox* being commanded by the Nobilitie to write to *Catharine* and other learned

learned men for thir judgement in that question, refus'd; alleging that both himself was fully resolv'd in conscience, and had heard thir judgments, and had the same opinion under hand-writing of many the most godly and most learned that he knew in Europe; that if he should move the question to them againe, what should he doe but shew his own forgetfulness or inconstancy. All this is farr more largely in the Ecclesiastic History of *Scotland* l. 4. with many other passages to this effect all the Book over; set out with diligence by Scotchmen of best repute among them at the beginning of these troubles, as if they labourd to inform us what wee were to doe, and what they intended upon the like occasion.

And to let the world know that the whole Church and Protestant State of *Scotland* in those purest times of reformation were of the same beileif, three years after, they met in the feild *Mary* thir lawful and hereditary Queen, took her prisoner yeilding before fight, kept her in prison, and the same yeare depos'd her. *Euchan. Hist.* l. 18.

And four yeares after that, the Scots in justification of thir deposing Queen *Mary*, sent Ambassadors to Queen *Elizabeth*, and in a writt n Declaration alleg'd that they had us'd toward her more lenity then shee deserv'd; that thir Ancestors had heretofore punish'd thir Kings by death or banishment; that the Scots were a free Nation, made King whom they freely chose, and with the same freedom unkingd him if they saw cause, by right of ancient laws and Ceremonies yet remaining, and old customs yet among the High-landers in choo-

choosing the head of thir Clanns, or Families; all which with many other arguments bore witness that regal power was nothing else but a mutual Covenant or stipulation between King and people. *Buch. Hist.* l. 20. These were Scotchmen and Presbyterians; but what measure then have they lately offerd, to think such liberty less becoming us then themselves, presuming to put him upon us for a Maister whom thir law scarce allows to be thir own equal? If now then we heare them in another strain then heretofore in the purest times of thir Church, we may be confident it is the voice of Faction speaking in them, not of truth and Reformation. Which no less in *England* then in *Scotland*, by the mouthes of those faithful witnesses commonly call'd Puritans, and Nonconformists, spake as clearly for the putting down, yea the utmost punishing of Kings, as in thir several Treatises may be read; eev'n from the first raigne of *Elizabeth* to these times. Insomuch that one of them, whose name was *Gibson*, foretold K. *James*, he should be rooted out, and conclude his race, if he persisted to uphold Bishops. And that very inscription stamp't upon the first Coines at his Coronation, a naked Sword in a hand with these words, *Si mereor in me, Against me, if I deserve*, not only manifested the judgement of that State, but seem'd also to presage the sentence of Divine justice in this event upon his Son.

In the yeare 1581. the States of *Holland* in a general Assembly at the *Hague*, abjur'd all obedience and subjection to *Philip* King of *Spaine*; and in a Declaration justifie thir so doing; for that by

E

his

his tyrannous government against faith so many times giv'n & brok'n he had lost his right to all the Belgic Provinces; that therefore they depos'd him and declar'd it lawful to choose another in his stead. *Thuan. l. 74.* From that time, to this, no State or Kingdom in the world hath equally prosper'd: But let them remember not to look with an evil and prejudicial eye upon thir Neighbours walking by the same rule.

But what need these examples to Presbyterians, I mean to those who now of late would seem so much to abhorre deposing, when as they to all Christendom have giv'n the latest and the liveliest example of doing it themselves. I question not the lawfulness of raising Warr against a Tyrant in defence of Religion, or civil libertie; for no Protestant Church from the first *Waldenses of Lyons*, and *Languedoc* to this day but have don it round, and maintain'd it lawful. But this I doubt not to affirm, that the Presbyterians, who now so much condemn deposing, were the men themselves that depos'd the King, and cannot with all thir shifting and relapsing, wash off the guiltiness from thir own hands. For they themselves, by these thir late doings have made it guiltiness, and turn'd thir own warrantable actions into Rebellion.

There is nothing that so actually makes a King of England, as rightful possession and Supremacy in all causes both civil and Ecclesiastical: and nothing that so actually makes a Subject of England, as those two Oaths of Allegiance and Supremacy observ'd without equivocating, or any mental reservation. Out of doubt then when the King shall command

mand things already constituted in Church, or State, obedience is the true essence of a subject, either to doe, if it be lawful, or if he hold the thing unlawful, to submit to that penaltie which the Law imposes, so long as he intends to remaine a Subject. Therefore when the people or any part of them shall rise against the King and his authority executing the Law in any thing establish'd civil or Ecclesiastical, I doe not say it is rebellion, if the thing commanded though establish'd be unlawful, and that they sought first all due means of redress (and no man is furder bound to Law) but I say it is an absolute renouncing both of Supremacy and Allegiance, which in one word is an actual and total deposing of the King, and the setting up of another supreme authority over them. And whether the Presbyterians have not don all this and much more, they will not put mee, I suppose, to reck'n up a seven years story fresh in the memory of all men. Have they not utterly broke the Oath of Allegiance, rejecting the Kings command and authority sent them from any part of the Kingdom whether in things lawful or unlawful? Have they not abjur'd the Oath of Supremacy by setting up the Parliament without the King, supreme to all thir obedience, and though thir Vow and Covenant bound them in general to the Parliament, yet sometimes adhering to the lesser part of Lords and Commons that remaind faithful, as they terme it, and sev'n of them, one while to the Commons without the Lords, another while to the Lords without the Commons? Have they not still declar'd thir meaning, whatever thir



Oath were, to hold them onely for supreme whom they found at any time most yeilding to what they petition'd? Both these Oaths which were the straitest bond of an English subject in reference to the King, being thus broke & made voide, it follows undenyably that the King from that time was by them in fact absolutely depos'd, and they no longer in reality to be thought his subjects, notwithstanding thir fine clause in the Covenant to preserve his person, Crown, and dignity, set there by som dodging Casuist with more craft then sincerity to mitigate the matter in case of ill suceess and not tak'n I suppose by any honest man, but as a condition subordinat to every the least particle that might more concerne Religion, liberty, or the public peace. To prove it yet more plainly that they are the men who have depos'd the King, I thus argue. We know that King and Subject are relatives, and relatives have no longer being then in the relation; the relation between King and Subject can be no other then regal authority and subjection. Hence I inerr past their defending, that if the Subject who is one relative, take away the relation, of force he takes away also the other relative; but the Presbyterians who were one relative, that is to say Subjects, have for this sev'n years tak'n away the relation, that is to say the Kings authority, and thir subjection to it, therefore the Presbyterians for these sev'n years have remov'd and extinguishd the other relative, that is to say the King, or to speak more in brief have depos'd him; not onely by depriving him the execution of his autoritie, but by conferring



ring it upon others. If then thir Oaths of subjection brok'n, new Supremacy obey'd, new Oaths and Covnants tak'n, notwithstanding frivolous evasions, have in plaine termes unking'd the King, much more then hath thir sev'n years Warr not depos'd him onely, but outlaw'd him, and defid him as an alien, a rebell to Law, and enemie to the State. It must needs be clear to any man not averse from reason, that hostilitie and subjection are two direct and positive contraries; and can no more in one subject stand together in respect of the same King, then one person at the same time can be in two remote places. Against whom therefore the Subject is in act of hostility, we may be confident that to him he is in no subjection: and in whom hostility takes place of subjection, for they can by no meanes consist together, to him the King can be not onely no King, but an enemie. So that from hence we shall not need dispute, whether they have depos'd him, or what they have defaulted towards him as no King, but shew manifestly how much they have don toward the killing him. Have they not levied all these Warrs against him whether offensive or defensive (for defence in Warr equally offends, and most prudently before hand) and giv'n Commission to slay where they knew his person could not be exempt from danger? And if chance or flight had not sav'd him, how oft'n had they killd him, directing thir Artillery without blame or prohibition to the very place where they saw him stand? Have they not Sequester'd him, judg'd or unjudgd, and converted his revenue to other uses, detaining from him as a grand Delinquent,  
all

all meanes of livelyhood; so that for them long since he might have perisht, or have starv'd? Have they not hunted and pursu'd him round about the Kingdom with sword and fire? Have they not formerly deny'd to Treat with him, and thir now recanting Ministers preach'd against him, as a reprobate incurable, an enemy to God and his Church markt for destruction, and therefore not to be treated with? Have they not besieg'd him, & to thir power forbid him Water and Fire, save what they shot against him to the hazard of his life? Yet while they thus assaulted and endangered it with hostile deeds, they swore in words to defend it with his Crown and dignity; not in order, as it seems now, to a firm and lasting peace, or to his repentance after all this blood; but simply, without regard, without remorse, or any comparable value of all the miseries and calamities sufferd by the poore people, or to suffer hereafter through his obstinacy or impenitence. No understanding man can bee ignorant that Covnants are ever made according to the present state of persons and of things; and have ever the more general laws of nature and of reason included in them, though not expres'd. If I make a voluntary Covenant as with a man, to doe him good, and he prove afterward a monster to me, I should conceive a disobliment. If I covenant, not to hurt an enemy, in favour of him & forbearance, & hope of his amendment, & he after that, shall doe me tenfold injury and mischief, to what he had don when I so Covenanted, and stil be plotting what may tend to my destruction, I question not but that

that his after actions release me; nor know I Covenant so sacred that withholds me from demanding justice on him. Howbeit, had not thir distrust in a good cause, and the fast and loos of our prevaricating Divines oversway'd, it had bin doubtless better not to have inserted in a Covenant unnecessary obligations, and words not works of a supererogating Allegiance to thir enemy; no way advantageous to themselves, had the King prevail'd, as to thir cost many would have felt; but full of snare and distraction to our friends, usefull onely, as we now find, to our adversaries, who under such a latitude and shelter of ambiguous interpretation have ever since been plotting and contriving new opportunities to trouble all again. How much better had it bin, and more becomming an undaunted vertue, to have declar'd op'nly and boldly whom and what power the people were to hold Supreme; as on the like occasion Protestants have don before, and many conscientious men now in these times have more then once besought the Parliament to doe, that they might goe on upon a sure foundation, and not with a ridling Covenant in thir mouths, seeming to sweare counter almost in the same breath Allegiance and no Allegiance; which doubtless had drawn off all the minds of sincere men from siding with them, had they not discern'd thir actions farr more deposing him then thir words upholding him; which words made now the subject of cavillous interpretations, stood ever in the Covenant, by judgement of the more discerning sort, an evidence of thir feare, not of thir fidelity.

fidelity. What should I return to speak on, of those attempts for which the King himself hath oft'n charg'd the Presbyterians of seeking his life, when as in the due estimation of things, they might without a fallacy be sayd to have don the deed outright. Who knows not that the King is a name of dignity and office, not of person: Who therfore kills a King, must kill him while he is a King. Then they certainly who by deposing him have long since tak'n from him the life of a King, his office and his dignity, they in the truest sence may be said to have killd the King: nor onely by thir deposing and waging Warr against him, which besides the danger to his personal life, sett him in the fardest opposite point from any vital function of a King, but by thir holding him in prison, vanquishd and yeilded into thir absolute and *despotic* power, which brought him to the lowest degradation and incapacity of the regal name. I say not by whose matchless valour next under God, lest the story of thir ingratitude thereupon carry me from the purpose in hand, which is to convince them that they, which I repeat againe, were the men who in the truest sence killd the King, not onely as is prov'd before, but by depressing him thir King farr below the rank of a subject to the condition of a Captive, without intention to restore him, as the Chancellour of *Scotland* in a speech told him plainly at *Newcastle*, unless hee granted fully all thir demands, which they knew he never meant. Nor did they Treat or think of Treating with him, till thir hatred to the Army that deliverd them, not thir love or duty to the King,

King, joyn'd them secretly with men sentenc'd so oft for Reprobats in thir own mouthes, by whose suttile inspiring they grew madd upon a most tardy and improper Treaty. Whereas if the whole bent of thir actions had not bin against the King himself, but only against his evil counselors, as they said, & publish'd, wherfore did they not restore him all that while to the true life of a King, his office, Crown, and Dignity, when he was in thir power, & they themselves his neereest Counselers. The truth therefore is, both that they would not, and that indeed they could not without thir own certain destruction; having reduc'd him to such a final pass, as was the very death and burial of all in him that was regal, and from whence never King of *England* yet reviv'd, but by the new re-inforcement of his own party, which was a kind of resurrection to him. Thus having quite extinguish't all that could be in him of a King, and from a total privation clad him over, like another specifical thing, with formes and habitudes destructive to the former, they left in his person, dead as to Law, and all the civil right either of King or Subject, the life onely of a Prisoner, a Captive and a Malefactor. Whom the equal and impartial hand of justice finding, was no more to spare then another ordinary man; not onely made obnoxious to the doom of Law by a charge more then once drawn up against him, and his own confession to the first Article at *Newport*, but summon'd and arraign'd in the sight of God and his people, curs't & devoted to perdition worse then any *Ahab*, or *Antiochus*, with exhortation to curse all those in the name of God

that made not Warr against him, as bitterly, as *Meror* was to be curs'd, that went not out against a Canaanitish King, almost in all the Sermons, Prayers, and Fulminations that have bin utter'd this seven yeares by those clov'n tongues of falshood and dissention; who now, to the stirring up of new discord, acquitt him; and against thir own disciplin, which they boast to be the throne and scepter of Christ, absolve him, unconfound him, though unconverted, unrepentant, unsensible of all thir precious Saints and Martyrs whose blood they have so oft laid upon his head: and now againe with a new sovran anointment can wash it all off, as if it were as vile, and no more to be reckn'd for, then the blood of so many Dogs in a time of Pestilence: giving the most opprobrious lye to all the acted zeale that for these many yeares hath fill'd thir bellies, and fed them fatt upon the foolish people. Ministers of sedition, not of the Gospel, who while they saw it manifestly tend to civil Warr and blood shed, never ceas'd exasperating the people against him; and now that they see it likely to breed new commotion, cease not to incite others against the people that have sav'd them from him, as if sedition were thir onely aime, whether against him or for him. But God, as we have cause to trust, will put other thoughts into the people, and turn them from giving eare or heed to these Mercenary noisemakers, of whose fury, and fals prophecies we have enough experience; and from the murmurs of new discord will incline them to hearken rather with erected minds to the voice of our Supreme Magi-

Magistracy, calling us to liberty and the flourishing deeds of a reformed Common-wealth; with this hope that as God was heretofore angry with the Jews who rejected him and his forme of Government to choole a King, so that he will bless us, and be propitious to us who reject a King to make him onely our leader and supreme governour in the conformity as neer as may be of his own ancient government; if we have at least but so much worth in us to entertaine the sense of our future happiness, and the courage to receive what God vouchsafes us: wherein we have the honour to precede other Nations who are now labouring to be our followers. For as to this question in hand what the people by thir just right may doe in change of government, or of governour, we see it cleerd sufficiently; besides other ample authority eev'n from the mouths of Princes themselves. And surely they that shall boast, as we doe, to be a free Nation, and not have in themselves the power to remove, or to abolish any governour supreme, or subordinat, with the government it self upon urgent causes, may please thir fancy with a ridiculous and painted freedom, fit to cozen babies; but are indeed under tyranny and servitude; as wanting that power, which is the root and source of all liberty, to dispose and *economize* in the Land which God hath giv'n them, as Masters of family in thir own house and free inheritance. Without which natural and essential power of a free Nation, though bearing high thir heads, they can in due esteem be thought no better then slaves and vassals born, in the tenure



and occupation of another inheriting Lord. Whose government, though not illegal, or intolerable, hangs over them as a Lordly scourge, not as a free government; and therefore to be abrogated. How much more justly then may they fling off tyranny, or tyrants; who being once depos'd can be no more then privat men, as subject to the reach of Justice and arraignment as any other transgressors. And certainly if men, not to speak of Heathen, both wise and Religious have don justice upon Tyrants what way they could soonest, how much more milde & human then is it, to give them faire and op'n tryal? To teach lawless Kings, and all who so much adore them, that not mortal man, or his imperious will, but Justice is the onely true sovran and supreme Majesty upon earth. Let men cease therefore out of faction & hypocrisie to make out-cries and horrid things of things so just and honorable. Though perhaps till now no protestant State or kingdom can be alleg'd to have op'nly put to death thir King, which lately some have writt'n, and imputed to thir great glory; much mistaking the matter. It is not, neither ought to be the glory of a Protestant State, never to have put thir King to death; It is the glory of a Protestant King never to have deserv'd death. And if the Parliament and Military Council doe what they doe without precedent, if it appeare thir duty, it argues the more wisdom, vertue, and magnanimity, that they know themselves able to be a precedent to others. Who perhaps in future ages, if they prove not too degenerat, will look up with honour, and aspire toward these exemplary,  
and

and matchless deeds of thir Ancestors, as to the highest top of thir civil glory and emulation. Which heretofore, in the persuance of fame and forren dominion, spent it self vain-gloriously abroad; but henceforth may learn a better fortitude, to dare execute highest Justice on them that shall by force of Armes endeavour the oppressing and bereaving of Religion and thir liberty at home: that no unbridl'd Potentate or Tyrant, but to his sorrow for the future, may presume such high and irresponsible licence over mankinde, to havock and turn upside-down whole Kingdoms of men, as though they were no more in respect of his perverse will then a Nation of Pismires. As for the party call'd Presbyterian, of whom I believe very many to be good and faithfull Christians, though misledd by som of turbulent spirit, I wish them earnestly and calmly not to fall off from thir first principles; nor to affect rigor and superiority over men not under them; not to compell unforcible things, in Religion especially, which if not voluntary, becomes a sin; nor to assist the clamor and malicious drifts of men whom they themselves have judg'd to be the worst of men, the obdurat enemies of God and his Church: nor to dart against the actions of thir brethren, for want of other argument, those wrested Lawes and Scriptures thrown by Prelats and Malignants against thir own sides, which though they hurt not otherwise, yet tak'n up by them to the condemnation of thir own doings, give scandal to all men, and discover in themselves either extreame passion, or apostacy. Let them not oppose thir best friends and associ-

ats

ats, who molest them not at all, infringe not the least of thir liberties; unless they call it thir liberty to bind other mens consciences, but are still seeking to live at peace with them and brotherly accord. Let them beware an old and perfer enemy, who though he hope by sowing discord to make them his instruments, yet cannot forbear a minute the op'n threatning of his destined revenge upon them, when they have serv'd his purposes. Let them, feate therefore, if they be wise, rather what they have don already, then what remains to doe, and be warn'd in time they put no confidence in Princes whom they have provok'd, lest they be added to the examples of those that miserably have tasted the event. Stories can informe them how *Christiern* the second, King of *Denmark*, not much above a hundred yeares past, driv'n out by his Subjects, and receav'd againe upon new Oaths and conditions, broke through them all to his most bloody revenge; slaying his chief opposers when he saw his time, both them and thir children invited to a feast for that purpose. How *Maximilian* dealt with those of *Bruges*, though by mediation of the *German* Princes reconcil'd to them by solem and public writings drawn and seald. How the massacre at *Paris* was the effect of that credulous peace which the French Protestants made with *Charles* the ninth thir King: and that the main visible cause which to this day hath sav'd the *Netherlands* from utter ruin, was thir final not beleiving the perfidious cruelty which, as a constant maxim of State, hath bin us'd by the Spanish Kings on thir Subjects that have tak'n

Armes

Armes and after trusted them; as no later age but can testifie, heretofore in *Belgia* it self, and this very year in *Naples*. And to conclude with one past exception, though farr more ancient, *David*, whose sanctify'd prudence might be alone sufficient, not to warrant us only, but to instruct us, when once he had tak'n Armes, never after that trusted *Saul*, though with tears and much, releasing he twise promis'd not to hurt him. These instances, few of many, might admonish them both English and Scotch not to let thir own ends, and the driving on of a faction, betray them blindly into the snare of those enemies, whose revenge looks on them as the men who first begun, fomented and carri'd on, beyond the cure of any sound or safe accommodation, all the evil which hath since unavoidably befall'n them and thir King.

I have somthing also to the Divines, though brief to what were needfull; not to be disturbers of the civil affairs, being in hands better able and more belonging to manage them; but to study harder, and to attend the office of good Pastors, knowing that he whose flock is least among them hath a dreadfull charge, not performed by mounting twise into the chair with a formal preaching huddl'd up at the odd hours of a whole lazy week, but by incessant pains and watching ~~in season and out of season, from house to house~~ over the soules of whom they have to feed. Which if they ever well consider, how little leisure would they find to be the most pragmatical Sidelmen of every popular tumult and Sedition? And all this while are to learn what the true end and reason is of the Gospel

Gospel which they teach ; and what a world it differs from the censorious and supercilious lord-ing over conscience. It would be good also they liv'd so as might perswade the people they hated covetousness, which worse then heresie, is idolatry ; hated pluralities and all kind of Simony ; left rambling from Benefice to Benefice, like rav'nous Wolves seeking where they may devour the biggest. Of which if som, well and warmly seated from the beginning, be not guilty, twere good they held not conversation with such as are : let them be sorry that being call'd to assemble about reforming the Church, they fell to proggings and soliciting the Parliament, though they had renounc'd the name of Priests, for a new setting of thir Tithes and Oblations ; and double lin'd themselves with spiritual places of commoditie beyond the possible discharge of thir duty. Let them assemble in Consistory with thir Elders and Deacons, according to ancient Ecclesiastical rule, to the preserving of Church-discipline, each in his severall charge, and not a pack of Clergiemen by themselves to belly-cheare in thir presumptuous Sion, or to promote designs, abuse and gull the simple Laity, and stirr up tumult, as the Prelats did, for the maintenance of thir pride and avarice. These things if they observe, and waite with patience, no doubt but all things will goe well without their importunities or exclamations : and the Printed letters which they send subscrib'd with the ostentation of great Characters and little moment, would be more considerable then now they are. But if they be the Ministers of Mammon in  
stead

stead of Christ, and scandalize his Church with the filthy love of gaine, aspiring also to sit the closest & the heaviest of all Tyrants, upon the conscience, and fall notoriously into the same sinns, wherof so lately and so loud they accus'd the Prelates, as God rooted out those wicked ones immediatly before, so will he root out them thir imitators: and to vindicate his own glory and Religion, will uncover thir hypocrisie to the op'n world; and visit upon thir own heads that *curse ye Meroz*, the very *Motto* of thir Pulpits, wherwith so frequently, not as *Meroz*, but more like Atheists they have blasphem'd the vengeance of God, and traduc'd the zeale of his people. And that they be not what they goe for, true Ministers of the Protestant doctrine, taught by those abroad, famous and religious men, who first reformd the Church, or by those no less zealous, who withstood corruption and the Bishops heer at home, branded with the name of Puritans and Nonconformists, wee shall abound with testimonies to make appeare: that men may yet more fully know the difference betweene Protestant Divines, and these Pulpit-firebrands.

Luther.

*Lib. contra Rusticos apud Sleidan. l. 5.*

Is est hodie rerum status, &c. Such is the state of things at this day, that men neither can, nor will, nor indeed ought to endure longer the domination of you Princes.

Neque vero Cæsarem, &c. Neither is Caesar to make Warr as head of Christ'ndom, Protector of the Church, Defender of the Faith; these Titles being fals and Windie; and most Kings being the greatest Enemies to Reli-

*gion. Lib: De bello contra Turcos. apud Sleid. l. 14.* What hinders then, but that we may depose or punish them?

These also are recited by *Cochleus* in his *Miscellanies* to be the words of *Luther*, or some other eminent Divine, then in *Germany*, when the Protestants there entred into solemn Covenant at *Smalcaldia*. *Ut ora ijs obturem &c. That I may stop their mouths, the Pope and Emperor are not born but elected, and may also be depos'd as hath bin oft'n don.* If *Luther*, or whoever els thought so, he could not stay there; for the right of birth or succession can be no privilege in nature to let a Tyrant sit irremovable over a Nation free born, without transforming that Nation from the nature and condition of men born free, into natural, hereditary, and successive slaves. Therefore he saith further; *To displace and throw down this Exactor, this Phalaris, this Nero, is a work well pleasing to God; Namely, for being such a one: which is a moral reason.* Shall then so slight a consideration as his happ to be not elective simply, but by birth, which was a meer accident, overthrow that which is moral, and make unpleasing to God that which otherwise had so well pleas'd him? certainly not: for if the matter be rightly argu'd, Election much rather than chance, bindes a man to content himself with what he suffers by his own bad Election. Though indeed neither the one nor other bindes any man, much less any people to a necessary sufferance of those wrongs and evils, which they have abilitie and strength enough giv'n them to remove.

*Zwinglius.*



Zwinglius. tom. 1. articul. 42.

Quando vero perfidè, &c. *When Kings raigne perfidiously, and against the rule of Christ, they may according to the word of God be depos'd.*

Mihi ergo compertum non est, &c. *I know not how it comes to pass that Kings raigne by succession, unless it be with consent of the whole people. ibid.*

Quum vero consensu, &c. *But when by suffrage and consent of the whole people, or the better part of them, a Tyrant is depos'd or put to death, God is the chief leader in that action. ibid.*

Nunc cum tam tepidi sumus, &c. *Now that we are so luke warm in upholding public justice, we indure the vices of Tyrants to raigne now a dayes with impunity; justly therefore by them we are trod underfoot, and shall at length with them be punished. Yet ways are not wanting by which Tyrants may be remoov'd, but there wants public justice. ibid.*

Cavete vobis o tyranni. *Beware yee Tyrants for now the Gospell of Jesus Christ spreading farr and wide, will renew the lives of many to love innocence and justice; which if yee also shall doe, yee shall be honourd. But if yee shall goe on to rage and doe violence, yee shall be tramp'l'd on by all men. ibid.*

Romanum imperium imò quodq; &c. *When the Roman Empire or any other shall begin to oppress Religion, and wee negligently suffer it, we are as much guilty of Religion so violated, as the Oppressors themselves. Idem Epist. ad Conrad. Somnium.*

Calvin on Daniel. c. 4. v. 25.

Hodie Monarchæ semper in suis titulis, &c. *Now adays Monarchs pretend alwayes in thir Titles, to be Kings by the grace of God: but how many of them to*

*The Tenure of Kings and Magistrates,*

this end only pretend it, that they may raigne without controule; for to what purpose is the grace of God mentioned in the Title of Kings, but that they may acknowledge no Superiour? In the meane while God, whose name they use, to support themselves, they willingly would tread under thir feet. It is therefore a meer cheat when they boast to raigne by the grace of God.

Abdicant se terreni principes, &c. Earthly Princes depose themselves while they rise against God, yea they are unworthy to be numberd among men: rather it be-  
hooves us to spitt upon thir heads then to obey them. On  
Dan : c. 6. v. 22.

*Bucer on Matth. c. 5.*

Si princeps superior, &c. If a Soueran Prince endeavour by armes to defend transgressors, to subvert those things which are taught in the word of God, they who are in authority under him, ought first to dissuade him; if they prevaile not, and that he now beares himself not as a Prince, but as an enemy, and seekes to violate privileges and rights granted to inferior Magistrates or commonalities, it is the part of pious Magistrates, imploring first the assistance of God, rather to try all ways and means, then to betray the flock of Christ, to such an enemy of God: for they also are to this end ordain'd, that they may defend the people of God, and maintain those things which are good and just. For to have supreme power less'ns not the evil committed by that power, but makes it the less tolerable, by how much the more generally hurtful. Then certainly the less tolerable, the more unpardonably to be punish'd.

Of Peter Martyr we have spoke before.

*Paræus in Rom. 13.*

Quorum est constituere Magistratus, &c. They  
whose

*whose part it is to set up Magistrates, may restrain them also from outrageous deeds, or pull them down; but all Magistrates are set up either by Parliament, or by Electors, or by other Magistrates; They therefore who exalted them, may lawfully degrade and punish them.*

Of the Scotch Divines I need not mention others then the famousest among them, *Knox*, & his fellow Labourers in the reformation of *Scotland*; whose large Treatises on this subject, defend the same Opinion. To cite them sufficiently, were to insert thir whole Books, writt'n purposely on this argument. *Knox Appeal*; and to the Reader, where he promises in a Postscript that the Book which he intended to set forth, call'd, *The second blast of the Trumpet*, should maintain more at large; that the same men most justly may depose, and punish him whom unadvisedly they have elected, notwithstanding birth, succession, or any Oath of Allegiance. Among our own Divines, *Cartwright* and *Fenner*, two of the Lernerdest, may in reason satisfy us what was held by the rest. *Fenner* in his Book of *Theologie* maintaining, That they who have power, that is to say a Parliament, may either by faire meanes or by force depose a Tyrant, whom he defines to be him, that wilfully breakes all, or the principal conditions made between him and the Common-wealth. *Fen. Sac: Theolog. c. 13.* and *Cartwright* in a prefix'd Epistle testifies his approbation of the whole Book.

*Gilby de obedientia. p. 25. & 105.*

*Kings have thir autoritie of the people, who may upon occasion reassume it to themselves.*

*Englands Complaint against the Canons.*

*The people may kill wicked Princes as monsters and cruel beasts.*

*Christopher*

*The Tenure of Kings and Magistrates.**Christopher Goodman of Obedience.*

When Kings or Rulers become blasphemers of God, oppressors and murderers of thir Subjects, they ought no more to be accounted Kings or lawfull Magistrates, but as privat men to be examin'd, accus'd, condemn'd and punish't by the Law of God, and being convicted and punish't by that law, it is not mans but Gods doing, *C. 10. p. 139.*

By the civil laws a foole or Idiot born, and so prov'd shall loose the lands and inheritance wher-to he is born, because he is not able to use them aright. And especially ought in no case be sufferd to have the government of a whole Nation; But there is no such evil can come to the Commonwealth by fooles and idiots as doth by the rage and fury of ungodly Rulers; Such therefore being without God ought to have no authority over Gods people, who by his Word requireth the contrary. *C. 11. p. 143, 144.*

No person is exempt by any Law of God from this punishment, be he King, Queene, or Emperor, he must dy the death, for God hath not plac'd them above others, to transgress his laws as they list, but to be subject to them as well as others, and if they be subject to his laws, then to the punishment also, so much the more as thir example is more dangerous. *C. 13. p. 184.*

When Magistrates cease to doe thir Duty, the people are as it were without Magistrates, yea worse, and then God giveth the sword into the peoples hand, and he himself is become immediately thir head. *p. 185.*

If Printes doe right and keep promise with you,  
then

then doe you owe to them all humble obedience : if not, yee are discharg'd, and your study ought to be in this case how ye may depose and punish according to the Law such Rebels against God and oppressors of thir Country. p. 190.

This *Goodman* was a Minister of the *English* Church at *Geneva*, as *Dudley Fenner* was at *Middleburrrough*, or some other place in that Country. These were the Pastors of those Saints and Confessors who flying from the bloody persecution of *Queen Mary*, gather'd up at length thir scatterd members into many Congregations; wherof som in upper, some in lower *Germany*, part of them settl'd at *Geneva*; where this Author having preachd on this subject to the great liking of certain lerned and godly men who heard him, was by them sundry times & with much instance requir'd to write more fully on that point. Who therupon took it in hand, and conferring with the best lerned in those parts (among whom *Calvin* was then living in the same City) with their special approbation he publisht this treatise, aiming principally, as is testify'd by *Whittingham* in the Preface, that his Brethren of *England*, the Protestants, might be perswaded in the truth of that Doctrine concerning obedience to Magistrates. *Whittingham* in Prefat.

These were the true Protestant Divines of *England*, our fathers in the faith we hold; this was their sense, who for so many yeares labouring under Prelacy, through all stormes and persecutions kept Religion from extinguishing; and deliverd it pure to us, till there arose a covetous and ambitious generation of Divines (for Divines they call themselves) who feining on a sudden to be new converts

*The Tenure of Kings and Magistrates,*

verts and profelytes from Episcopacy, under which they had long temporiz'd, op'nd thir mouthes at length, in shew against Pluralities and Prelacy, but with intent to swallow them down both; gorging themselves like Harpy's on those simonious places and preferments of thir outed predecessors, as the quarry for which they hunted, not to pluralitie onely but to multiplicitie: for possessing which they had accus'd them thir Brethren, and aspiring under another title to the same authoritie and usurpation over the consciences of all men.

Of this faction diverse reverend and lerned Divines, as they are stil'd in the Phylactery of thir own Title page, pleading the lawfulness of defensive Armes against this King, in a Treatise call'd *Scripture and Reason*, seem in words to disclaime utterly the deposing of a King; but both the Scripture and the reasons which they use, draw consequences after them, which without their bidding, conclude it lawfull. For if by Scripture, and by that especially to the *Romans*, which they most insist upon, Kings, doing that which is contrary to Saint Pauls definition of a Magistrat, may be resisted, they may altogether with as much force of consequence be depos'd or punishd. And if by reason the unjust authority of Kings may be forfeited in part, and his power be reassum'd in part, either by the Parliament or People, for the case in hazard and the present necessitie, as they affirm p. 34, there can no Scripture be alleg'd, no imaginable reason giv'n, that necessity continuing, as it may alwayes, and they in all prudence and thir duty may take upon them to foresee it, why in such a case they may  
not

not finally amerce him with the loss of his Kingdom, of whose amendment they have no hope. And if one wicked action persisted in against Religion, Laws, and liberties may warrant us to thus much in part, why may not forty times as many tyrannies, by him committed, warrant us to proceed on restraining him, till the restraint become total. For the ways of justice are exactest proportion; if for one trespass of a King it require so much remedie or satisfaction, then for twenty more as hainous crimes, it requires of him twenty-fold; and so proportionably, till it com to what is utmost among men. If in these proceedings against thir King they may not finish by the usual cours of justice what they have begun, they could not lawfully begin at all. For this golden rule of justice and moralitie, as well as of Arithmetick, out of three termes which they admitt, will as certainly and unavoydably bring out the fourth, as any Probleme that ever *Euclid*, or *Apollonius* made good by demonstration.

And if the Parliament, being undeposable but by themselves, as is affirm'd, p. 37, 38, might for his whole life, if they saw cause, take all power, authority, and the sword out of his hand, which in effect is to unmagistrate him, why might they not, being then themselves the sole Magistrates in force, proceed to punish him who being lawfully depriv'd of all things that define a Magistrate, can be now no Magistrate to be degraded lower, but an offender to be punisht. Lastly, whom they may desie, and meet in battell, why may they not as well prosecute by justice? For lawfull wart is



but the execution of justice against them who refuse Law. Among whom if it be lawfull ( as they deny not, p. 19, 20. ) to slay the King himself comming in front at his own peril, wherefore may not justice doe that intendedly, which the chance of a defensive warr might without blame have don casually, nay purposely, if there it finde him among the rest. They aske p. 19. *By what rule of Conscience or God, a State is bound to sacrifice Religion, Laws and liberties, rather then a Prince defending such as subvert them, should com in hazard of his life.* And I ask by what conscience, or divinity, or Law, or reason, a State is bound to leave all these sacred concerns under a perpetual hazard and extrenity of danger, rather then cutt off a wicked Prince, who sits plotting day and night to subvert them: They tell us that the Law of nature justifies any man to defend himself, eev'n against the King in Person: let them shew us then why the same Law, may not justifie much more a State or whole people, to doe justice upon him, against whom each privat man may lawfully defend himself; seing all kind of justice don, is a defence to good men, as well as a punishment to bad; and justice don upon a Tyrant is no more but the necessary self-defence of a whole Common wealth. To Warr upon a King, that his instruments may be brought to condigne punishment, and therafter to punish them the instruments, and not to spare onely, but to defend and honour him the Author, is the strangest peece of justice to be call'd Christian, and the strangest peece of reason to be call'd human, that by men of reverence and learning

ing, as thir stile imports them, ever yet was vented. They maintain in the third and fourth Section, that a Judge or inferior Magistrate, is anointed of God, is his Minister, hath the Sword in his hand, is to be obey'd by St. *Peters* rule, as well as the Supreme, and without difference any where exprest: and yet will have us fight against the Supreme till he remove and punish the inferior Magistrate (for such were greatest Delinquents) when as by Scripture, and by reason, there can no more authority be shewn to resist the one then the other; and altogether as much, to punish or depose the Supreme himself, as to make Warr upon him, till he punish or deliver up his inferior Magistrates, whom in the same terms we are commanded to obey, and not to resist. Thus while they, in a cautious line or two here and there stufte in, are onely verbal against the pulling down or punishing of Tyrants, all the Scripture and the reason which they bring, is in every case direct and rational to infer it altogether as lawful, as to resist them. And yet in all thir Sermons, as hath by others bin well noted, they went much further. For Divines, if ye observe them, have thir postures, and thir motions no less expertly, and with no less variety then they that practice feats in the Artillery-ground. Sometimes they seem furiously to march on, and presently march counter; by and by they stand, and then retreat; or if need be can face about, or wheele in a whole body, with that cunning and dexterity as is almost unperceivable; to winde themselves by shifting ground into places of more advantage. And Pro-

vidence onely must be the drum, Providence the word of command, that calls them from above, but always to som larger Benefice, or acts them into such or such figures, and promotions. At thir turnes and doublings no men readier; to the right, or to the left; for it is thir turnes which they serve cheifly; heerin only singular; that with them there is no certain hand right or left; but as thir own commodity thinks best to call it. But if there come a truth to be defended, which to them, and thir interest of this world seemes not so profitable, strait these nimble morionists can finde no eev'n leggs to stand upon: and are no more of use to reformation throughly performd, and not superficially, or to the advancement of Truth (which among mortal men is alwaies in her progress) then if on a sudden they were strook maime, and cripp'd. Which the better to conceale, or the more to countenance by a general conformity to thir own limping, they would have *Scripture*, they would have *reason* also made to halt with them for company; and would putt us off with impotent conclusions, lame and shorter then the premises. In this posture they seem to stand with great zeale and confidence on the wall of *Sion*; but like *Jebusites*, not like *Israelites*, or *Levites*: blinde also as well as lame, they discern not *David* from *Adonibezec*: but cry him up for the Lords anointed, whose thumbs and great toes not long before they had cut off upon thir Pulpit cushions. Therefore he who is our only King, the root of *David*, and whose Kingdom is eternal righteousness, with all those  
that

that Warr under him; whose happinefs and final hopes are laid up in that only juſt & rightful kingdom ( which we pray inceſſantly may com ſoon, and in ſo praying with haſty ruin and deſtruction to all Tyrants ) *eevn* he our immortal King, and all that love him, muſt of neceſſity have in abomination theſe blind and lame Defenders of *Jeruſalem*; as the ſoule of *David* hated them, and forbid them entrance into Gods Houſe, and his own. But as to thoſe before them, which I cited firſt ( and with an eaſie ſearch, for many more might be added ) as they there ſtand, without more in number, being the beſt and chief of Proteſtant Divines, we may follow them for faithful Guides, and without doubting may receive them, as Witneſſes abundant of what wee heer affirme concerning Tyrants. And indeed I find it generally the cleere and poſitive determination of them all, ( not prelatical, or of this late faction ſubprelatical ) who have writt'n on this argument ; that to doe juſtice on a lawleſs King, is to a privat man unlawful, to an inferior Magiſtrate lawfull : or if they were divided in opinion, yet greater then theſe here alleg'd, or of more authority in the Church, there can be none produc'd. If any one ſhall goe about by bringing other teſtimonies to diſable theſe, or by bringing theſe againſt themſelves in other cited paſſages of thir Books, he will not only faile to make good that falſ and impudent aſſertion of thoſe mutinous Miniſters, that the depoſing and puniſhing of a King or Tyrant, is againſt the conſtant Judgement of all Proteſtant Divines, it being quite

quit the contrary, but will prove rather, what perhaps he intended not, that the judgement of Divines, if it be so various and inconstant to it self, is not considerable, or to be esteem'd at all. Ere which be yeilded, as I hope it never will, these ignorant assertors in thir own art will have prov'd themselves more and more, not to be Protestant Divines, whose constant judgement in this point they have so audaciouly bely'd, but rather to be a pack of hungrie Church-wolves, who in the steps of *Simon Magus* thir Father, following the hot sent of double Livings and Pluralities, advou-sons, donatives, inductions, and augmentations, though uncalled to the Flock of Christ, but by the meer suggestion of thir Bellies, like those Priests of *Bel*, whose pranks *Daniel* found out; have got possession, or rather seisd upon the Pulpit, as the strong hold and fortrefs of thir sedition and rebellion against the civil Magistrate. Whose friendly and victorious hand having rescu'd them from the Bishops thir insulting Lords, fed them plenteously, both in public and in private, rais'd them to be high and rich of poore and base; onely suffer'd not thir covetousness & fierce ambition, which as the pitt that sent out thir fellow locusts, hath bin ever bottomless and boundless, to interpose in all things, and over all persons, thir impetuous ignorance and importunity.

**THE END.**

